



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
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**MEMORANDUM**

DATE: December 16, 2009

TO: Mr. Theodore Bishop, Asst. Director of Planning  
Delaware Department of Transportation

FROM: Daniese McMullin-Powell, Chairperson  
State Council for Persons with Disabilities

RE: 13 DE Reg. 626 [DelDOT Proposed Street & Highway Access Regulations]

The State Council for Persons with Disabilities (SCPD) has reviewed the Delaware Department of Transportation's (DelDOTs) proposal to amend its regulations adopted in 2007 covering State-maintained roads published as 13 DE Reg. 626 in the November 1, 2009 issue of the Register of Regulations. SCPD has the following observations.

Council reviewed the proposed changes as they relate to sidewalks and curb ramps. Very few of the amendments impact these issues. These regulations were initially implemented in 2007 and already require most new subdivisions to have sidewalks. The regulations cross reference the ADA a number of times and make clear that sidewalks and curb ramps must comply with DelDOT standards and ADA standards should they apply. The most significant relevant amendments are as follows: In Section 3.5.4.2.5, a permanent easement in favor of DelDOT is established for any subdivision in which sidewalks are not currently required so that DelDOT may install sidewalks in the future if warranted. In Section 5.1.5.3, a change is made requiring five foot level landings at the top and bottom of a ramp that requires a turn. The previous provision required only a four foot landing.

Given the relatively benign nature of the changes, SCPD has no objection to the regulation and affirmatively supports the five foot landing provision in Section 5.1.5.3.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed regulation.

cc: Mr. Dan Muterspaw, AAB  
Mr. Brian Hartman, Esq.  
Governor's Advisory Council for Exceptional Citizens  
Developmental Disabilities Council